APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,048	12/01/2003	Becky Jean Gibson	260-001	2653

44185   7590   01/28/2008
LOTUS AND RATIONAL SOFTWARE
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EXAMINER
SHIH, HAOSHIAN

ART UNIT	PAPER NUMBER
2173	

MAIL DATE	DELIVERY MODE
01/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/726,048	GIBSON ET AL.
Office Action Summary	Examiner	Art Unit
	Haoshian Shih	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ .Responsive to communication(s) filed on _20 December 2007_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,3,4,8,10,11,15,17,18,22 and 24_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,3,4,8,10,11,15,17,18,22 and 24_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1, 3-4, 8, 10-11, 15, 17-18, 22 and 24 are pending in this application and

have been examined in response to application RCE filed on 12/20/2007.

2.   The previously applied objection is hereby withdrawn in view of applicant's

amendment.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 1, 3-4, 8, 10-11, 15, 17-18, 22 and 24 are rejected under 35 U.S.C.**

103(a) as being unpatentable over Mag Hourihan (Hourihan, "Using JavaScript to

Create a Powerful GUI) and W3C HTML 4.01 specification (W3C) and Shiran

(Shiran, "Creating A modal Dialog Box").

5.   As to **INDEPENDENT** claim 1, Hourihan discloses a method for creating at least

one accessible graphical image, comprising:

providing said at least one accessible graphical image within a graphical object

(pg.2, paragraph Building a Simple Toolbar, fig.1; "creating a simple toolbar to hold

three buttons"),

wherein said providing said at least one accessible graphical image is responsive

to at least one image command (pg. 2, paragraph Using JavaScript to Manipulate Text

Selections, "function format_sel()"; pg.4, paragraph Putting it All Together With HTML,

"onclick="format_sel('b')"; "onclick" represents a mouse click event, "format_sel('b')

represent a Bold text changing command),

said image command including a first attribute determining the processing of

mouse click events (pg.4, "onclick" handles a click event from a mouse) , wherein said

first attribute is an event handler attribute that invokes said software routine (pg.2,

"format_sel()"; pg.4, "onclick="format_sel ('b')); operable to perform said predetermined

functions associated with said accessible graphical image (pg.4, src="bold.gif"; an

image file is associated with a button).

and wherein said at least one accessible graphical image comprises a plurality of

accessible graphical images , wherein each of said accessible graphical images is

associated with a respective one of a plurality of text formatting operations (pg. 2,

paragraph Using JavaScript to Manipulate Text Selections, "function format_sel()"; pg.4,

paragraph Putting it All Together With HTML, "onclick="format_sel('b')"; "onclick"

represents a mouse click event, "format_sel('b') represent a Bold text changing

command), wherein said software routine operable to perform said predetermined

function is further operable to perform each of said plurality of text formatting operations

(pg.2, fig.1, text formatting operations such as a "bold", an "italic" and a "link" button are displayed) , and wherein said parameter passed by said first attribute to said software routine operable to perform said predetermined function associated with said accessible graphical image uniquely identifies said predetermined function associated with said accessible graphical image among said plurality of text formatting operations (pg.2, "format_sel()"; pg.4, "onclick="format_sel ('b'); a user clicks on the bold text formatting button to make the selected text bold).

Hourihan does not disclose a second attribute determining the processing of at least one predetermined keyboard event, a third attribute having a parameter indicating an ordinal value to be associated with at least one graphical image and providing a modal dialog box graphical object.

In the same field of endeavor, W3C discloses a second attribute determining the processing of at least one predetermined keyboard event, wherein said first attribute is an event handler operates to compare a keyboard event object value indicating which key was pressed (17.5; "onkeypress" and "onkeydown") with a predetermined value indicating that a predetermined key other than the enter key was pressed (pg. 9 of 26, section 17.5 middle portion that a BUTTON element contains an "accesskey" attribute, wherein the access key attribute allows a user to assign customizable keystrokes to a given element, and in the event that said event object value matches said

predetermined value, invoking a software routine operable to perform a predetermined

function associated with said accessible graphical image, and preventing <u>further</u>

<u>processing of the keyboard event</u> (17.11.2, "Access Keys"; the "accesskey" attribute

allows a user to customize the desired keys to active the desired functions, when the

assigned access key is pressed, the function that is associated with the access key is

provide and not the actual character that is associated with the access key).

   Further, W3C discloses a third attribute having a parameter indicating an ordinal

   value to be associated with said at least one graphical image, wherein said ordinal

   value represents a relative position within an ordering of graphical images within

   said modal dialog box graphical object, whereby a user is allowed to access said at

   least one graphical image by using a keyboard action resulting in ones of said

   graphical images within said modal dialog box being sequentially accessed

   responsive to said ordering of graphical images within said dialog box (ch. 17.11.1

   Tabbing navigation).

   Further more, W3C discloses wherein said first attribute and said second

attribute both pass the same parameter to said software routine operable to perform

said predetermined function associated with said accessible graphical image, such that

said software routine operable to perform said predetermined function associated with

said accessible graphical image operates the same in response to a user pressing said

enter key and in response to said user performing a mouse click (17.5; a button element

is associated with various mouse handlers and keyboard handlers such as

"onmousedown", "onclick", "onkeypress" and on "onkeydown", as well as image

container such as "IMG" element).

W3C does not disclose a modal dialog box.

It would have been obvious to one of ordinary skill in the art, having the teaching

of Hourihan *and* W3C before him at the time the invention was made, to modify the

graphical object taught by Hourihan *to* include keyboard and tab events taught by W3C

with the motivation being to increase the usability of the graphical object (W3C, 17.5).

In the same field of endeavor, Shiran discloses the graphical object is a modal dialog

box (pg. 1; window.showModalDialog() function call).

It would have been obvious to one of ordinary skill in the art, having the teaching of

Hourihan *and* W3C *and the teaching of* Shiran before him at the time the invention was

made, to modify the multi-accessible graphical object taught by Hourihan *and* W3C to

include a modal dialog box taught by Shiran with the motivation being to provide a

program alert in response to important conditions (pg.1, paragraph 1).

6.   As to claims 3, Hourihan discloses wherein said at least one image command

further comprises a fourth attribute having a parameter including text associated with

said at least one graphical image (pg. 4, paragraph Putting it all together with HTML;

"alt" attribute). Hourihan does not specifically disclose wherein said text is accessible to

a screen reader program for conversion to an audio output signal.

W3C discloses wherein said text is accessible to a screen reader program for

conversion to an audio output signal (ch. 13.8 How to specify alternate text).

7.   As to claim 4, Hourihan discloses wherein said at least one image command is

stored within a document containing formatting information for a user interface, wherein

said document is a Web page, and wherein said image command is a tag of a mark-up

programming language (pg.2, paragraph Building a Simple Toolbar, fig.1; pg. 4-5,

paragraph Putting it All Together With HTML).

As to claim 10, see rationale addressed in the rejection of claim 3 above.

As to claim 17, see rationale addressed in the rejection of claim 3 above.

As to claim 24, see rationale addressed in the rejection of claim 3 above.

As to claim 11, see rationale addressed in the rejection of claim 4 above.

As to claim 18, see rationale addressed in the rejection of claim 4 above.

8.   As to **INDEPENDENT** claim 8 is similar to claim 1, it is rejected under same

rationale.

9.   As to **INDEPENDENT** claim 15 is similar to claim 1, it is rejected under same rationale.

10.   As to **INDEPENDENT** claim 22 is similar to claim 1, it is rejected under same rationale.

11.   As to **INDEPENDENT** claim 25 is similar to claim 1, it is rejected under same rationale.

Response to Arguments

12.   Applicant's arguments filed on 12/20/2007 have been fully considered but they are not persuasive.

13.   Applicant argues that Hourihan does not suggest the desirability of providing keypress operability.

In response to applicant's argument, Hourihan discloses in pg.5, "Conclusion" a suggestion of using keystrokes to create shortcut keys for repetitive tasks is indicated.

14.   Applicant argues that the combined references do not suggest handling keyboard events using a keyboard event handler in an <img> tag.

In response to applicant's argument, W3C discloses in pg. 9 of 26, section 17.5, bottom portion that a BUTTON element contains an image by way of the <IMG> element.

15.   Applicant argues that none of the elements listed in section 17.11.1 (A, AREA, BUTTON, INPUT, OBJECT, SELECT, and TEXTAREA) includes the capability of being activated through pressing of a key other than the enter key.

In response to applicant's argument, W3C discloses pg. 9 of 26, section 17.5 middle portion that a BUTTON element contains an "accesskey" attribute, wherein the access key attribute allows a user to assign customizable keystrokes to a given element (W3C, section 17.11.2, Access Keys).

16.   Applicant argues that the combined references does not disclose performing a plurality of text formatting operations, and wherein a parameter passed by both a first attribute and a second attribute of the element to the software routine that uniquely identifies a predetermined function associated with the accessible graphical image among the plurality of text formatting operations.

In response to applicant's argument, Hourihan discloses performing a plurality of text formatting operations (pg. 2, paragraph Using JavaScript to Manipulate Text Selections, "function format_sel()"; pg.4, paragraph Putting it All Together With HTML,

"onclick="format_sel('b')"; "onclick" represents a mouse click event, "format_sel('b')"

represent a Bold text changing command), and wherein a parameter passed by a first

attribute (pg.4, "onclick" handles a click event from a mouse) the element to the

software routine that uniquely identifies a predetermined function associated with the

accessible graphical image among the plurality of text formatting operations (pg.2,

paragraph Building a Simple Toolbar, fig.1; "creating a simple toolbar to hold three

buttons"). Hourihan does not disclose a second attribute.

W3C discloses a second attribute(17.5; a button element is associated with various

mouse handlers and keyboard handlers such as "onmousedown", "onclick",

"onkeypress" and on "onkeydown", as well as image container such as "IMG"

element).

It would have been obvious to one of ordinary skill in the art, having the teaching of

Hourihan *and* W3C before him at the time the invention was made, to modify the

graphical object taught by Hourihan *to* include keyboard and tab events taught by W3C

with the motivation being to increase the usability of the graphical object (W3C, 17.5).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Haoshian Shih whose telephone number is (571) 270-

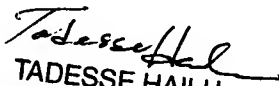1257. The examiner can normally be reached on m-f 0730-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSS

TADESSE HAILU
PRIMARY EXAMINER